

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

March 4, 2021

Chief Judge Diane S. Sykes

No. 07-21-90002

IN RE COMPLAINT AGAINST A JUDGE:

MEMORANDUM

Complainant filed a misconduct complaint against a judge who is assigned to his lawsuit against Northwestern Memorial Hospital and Northwestern Memorial Healthcare Corporation. Complainant challenges the judge's discovery rulings and further alleges that the judge tried to force him to settle. The complaint alleges that the judge's actions resulted from bias arising from a conflict of interest in that the judge and his wife have "personal and fiduciary economic interests/relationships with Defendants." Specifically, the judge's wife is an employee and attorney for Northwestern University and the judge teaches as an adjunct professor at the Northwestern Pritzker School of Law. Complainant alleges that it is "undeniable" that improper ex parte communications must have occurred.

To the extent that the complaint challenges the judge's rulings, the allegations are "directly related to the merits of a decision or procedural ruling" and must be dismissed. 28 U.S.C. § 352(b)(1)(A)(ii). The allegations of bias are unsupported, as are the complaints of ex parte communications. *See id.* § 352(b)(1)(A)(iii). As for the alleged conflict of interest, the docket reflects that although complainant never filed a recusal motion, the judge entered a minute entry stating that defendants Northwestern Memorial Hospital and Northwestern Memorial Healthcare Corporation are separate entities from Northwestern University and that neither the judge nor the judge's spouse are employees of either defendant.

Moreover, I conducted a limited inquiry with the judge to clarify the relationship, if any, between Northwestern Memorial Hospital, Northwestern Memorial Healthcare, and Northwestern University. *See* Rule 11(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. The judge confirmed that defendants are legally and financially independent of Northwestern University. He further clarified that because Northwestern Memorial Hospital is a teaching hospital, faculty at the Northwestern Feinberg School of Medicine have practice privileges at the hospital, but no further affiliation exists. Finally, the

judge reiterated that neither he nor his wife have any personal, employment, or financial relationship with either defendant. Accordingly, the conflict-of-interest allegations lack a factual foundation and may be summarily dismissed for that reason. *See* 28 U.S.C. § 352(b)(1)(B).

The complaint is dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii), (iii) and (b)(1)(B).